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1 Q. Any of these other comments that we've been 2 talking about did she make on December 3rd? 3 A. Yes. 4 Q. Which ones? 5 A. The one about if the baby was sick, I would have 6 to stay home with the baby. Didn't know if I 7 would be able to work afterwards until I held the 8 baby in my arms. I just remember her saying 9 that. 10 Q. All right. Before December 3, 2001, did Arlene 11 make any comments to you that you believe were 12 discriminatory? 13 A. No. 14 Q. Before December 3, 2001, did Arlene do anything 15 that leads you to believe that she was 16 discriminating against you on the basis of your 17 sex? 18 A. No. 19 Q. Before December 3, 2001, did Arlene make any 20 comments that leads you to believe that she was 21 discriminating against you on the basis of your 22 pregnancy? 23 A. No. 24 Q. Before December 3, 2001, did Arlene do anything	1 Q. What were your duties as finishing manager? 2 A. You oversaw the daily scheduling of the finishing 3 department. 4 Q. Did you supervise people? 5 A. Yes. 6 Q. Had you had supervisory experience before that? 7 A. Yes. 8 Q. At Jansson? 9 A. No. 10 Q. How many people did you supervise? 11 A. Oh, I want to say approximately ten. Maybe more. 12 Q. This promotion occurred in roughly August of '95? 13 A. I have no idea really. I don't remember. 14 Q. But you think you did your customer service job 15 for about a year? 16 A. Yeah. It wasn't very long. 17 Q. How long were you the finishing manager? 18 A. A couple years. 19 Q. What was your next position at Jansson? 20 A. Design development manager. 21 Q. When did you take over that job? 22 A. I believe that was in '98. I'm not exactly sure. 23 Q. Was that a job that you went from finishing 24 manager to design development manager or was
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1 that leads you to believe that she was 2 discriminating against you on the basis of your 3 pregnancy? 4 A. No. 5 Q. Have you identified all of the comments that you 6 allege Ms. Osoff made to you that week of 7 December 3rd to December 7, 2001? 8 A. I believe so. 9 Q. When did you start work at Jansson? 10 A. August of '94. 11 Q. What was your position? 12 A. Customer service. 13 Q. What did you do as a customer service 14 representative? 15 A. It was mostly customer contact. Answering 16 questions over the phone. Writing orders. 17 Q. How long did you have that position? 18 A. Just under a year. 19 Q. Then what was your position? 20 A. I was the finishing manager. 21 Q. Was that a promotion? 22 A. Yes. 23 Q. Who promoted you? 24 A. Arlene.	1 there a transition period? 2 A. Um, there was a small transition because I was 3 training the person that was going to be running 4 finishing. And because I knew finishing so well 5 and was very successful at running it 6 efficiently, Arlene wanted me to continue 7 overseeing it so I kind of juggled both jobs but 8 the design job itself was something that I did 9 when I was in customer service. 10 Arlene was training me and involved me 11 in design during customer service, during 12 finishing, and then when the actual transition 13 went through is when they actually carved out an 14 office for me, which is where I worked. 15 Q. Was the move from finishing manager to design 16 development manager a promotion? 17 A. Yes. 18 Q. Did you receive an increase in pay? 19 A. Yes. 20 Q. Who promoted you? 21 A. Arlene. 22 Q. Had you had design experience before you took 23 this job? 24 A. Yes.

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1 Q. Where?		1 but also remain competitive in the market to some
2 A. I had my own bridal design company.		2 of the trends that were coming up that she wanted
3 Q. Any other experience in design?		3 to keep a cutting edge on. I offered a fresh
4 A. Yes. That's actually what my degree is in.		4 eye.
5 Design.		5 Q. How did she train you in the product?
6 Q. Where is your degree from?		6 A. Just working with me.
7 A. Endicott College, Beverly.		7 Q. Did you work closely with her?
8 Q. Was it in bridal design or was it in --		8 A. Yes.
9 A. Clothing.		9 Q. Did she continue to do some of the design duties
10 Q. Clothing design. Is that a four-year degree?		10 early on?
11 A. No. It is an Associate's.		11 A. Early in my taking the position, yes.
12 Q. What were you designing for Jansson?		12 Q. How long do you think it was between when you
13 A. I'm sorry?		13 started in that position and completely took over
14 Q. What were you designing for Jansson?		14 the design duties?
15 A. Personalized invitations. Greeting cards.		15 A. I don't really recollect. I want to say maybe
16 Q. Anything else?		16 about six months.
17 A. I worked with Arlene on like the design layout of		17 Q. Did you view that promotion as an opportunity?
18 advertisements. She was working on the		18 A. Define "opportunity."
19 possibility of designing some new product lines.		19 Q. Well, was it a good thing?
20 Q. Product lines other than personalized invitations		20 A. Yes, it was. A very good thing.
21 and greeting cards?		21 Q. Did you like working with Arlene at that time?
22 A. Yes.		22 A. I always enjoyed working with Arlene.
23 Q. What other product lines?		23 Q. How would you describe your working relationship
24 A. Like notepad sets, that type of thing.		24 with Arlene?
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1 Q. Did Arlene tell you why she was promoting you		1 A. Professional.
2 from finishing manager to design development		2 Q. Did you exchange personal confidences with Arlene
3 manager?		3 at any time you worked with her?
4 A. Well, I know she thought I was extremely talented		4 A. We did discuss my getting pregnant.
5 and I was extremely efficient and organized. And		5 Q. What do you recall about that?
6 she wanted to train another individual to be able		6 A. I wanted her to be aware of what I was going
7 to design so that she could take a back seat.		7 through to get pregnant because I was going to be
8 Q. Did she tell you those things?		8 needing to use vacation and sick time to take
9 A. Yes.		9 time off. That I wasn't actually going to be
10 Q. How did you respond?		10 taking a scheduled vacation, that I would be
11 A. I was flattered.		11 putting time -- that time aside for fertility
12 Q. And did Arlene train you in the design		12 treatments. And I shared that personal part of
13 development position?		13 my life with her because I knew that it may
14 A. She didn't train me in the position but what she		14 directly affect the scheduling of my job.
15 did do is train me to understand the Jansson		15 Q. When did you first start fertility treatments?
16 product so that we could keep the integrity of		16 A. I want to say -- they wanted to start in '99 but
17 the product and so I could properly design for		17 they could not because I had to have two surgical
18 that type of product.		18 procedures before they could start. So I started
19 Q. Tell me a little bit more about that. What does		19 in 2000, I believe.
20 that mean, the integrity of the product?		20 Q. And did you take vacation and sick time for some
21 A. It was a high-end company. It filled a niche		21 of those treatments?
22 within the industry for certain style, I should		22 A. Yes, I did.
23 say. And it was kind of considered like a		23 Q. Did anyone ever object to you doing that?
24 Jansson look and she wanted to continue that look		24 A. No.

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1 Q. When was the first time you went, you took time 2 off for fertility treatments? 3 A. I believe it was January of 2000. 4 Q. And did you take family and medical leave -- 5 A. No. 6 Q. -- for that? 7 A. No. 8 Q. You just have to wait until I finish my question. 9 A. I'm sorry. 10 Q. How long did you take off in January of 2000? 11 A. I believe it might have been a week or three 12 days. 13 Q. Did you talk with Arlene about that at the time? 14 A. Yes. 15 Q. What was her response? 16 A. Just to let her know what days they were. 17 Q. Did she object? 18 A. No. She just asked that I had all my work in 19 order before I left, which I did. 20 Q. When is the next time you recall taking time off 21 for fertility treatments? 22 A. The following month. I was rushed to the 23 hospital with an abscess. That was unexpected. 24 I was in the hospital I believe for nine days,	1 January of 2002, I'm sorry, was a scheduled 2 surgery that I was out for a few weeks. I'm 3 sorry. I missed a year in there. 4 Q. Now, the last day of your employment was December 5 7, 2001? 6 A. Yes. 7 Q. And so these -- what you have been describing for 8 me, this all happened in 2001? 9 A. Yes. Yes. I took -- those three days I'm 10 talking about were in January. 11 Q. Okay. 12 A. Um -- it was in January. I had the abscess and 13 miscarriage in February. 14 Q. Mm-hmm. 15 A. And then I had another cycle in June. 16 Q. Okay. And how much time did you take off in 17 June? 18 A. Just a few days. 19 Q. Any objections from Jansson? 20 A. No. 21 Q. Did you have any conversations with Arlene about 22 that at the time? 23 A. Just normal scheduling and, you know, bring her 24 up to speed on what was going on before I left
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1 which resulted in a miscarriage. And I was out 2 for additional time after that. 3 Q. Was that Family and Medical Leave Act? 4 A. No. 5 Q. Did Arlene visit you in the hospital? 6 A. No. 7 Q. Did she object to the time that you took off for 8 this? 9 A. No. 10 Q. Do you claim that Jansson treated you 11 discriminatorily with regard to this leave? 12 A. No. 13 Q. What's the next time you recall taking time off 14 for fertility treatments? 15 A. June. I believe it was June. 16 Q. The same year? 17 A. Yes. 18 Q. So we're still in 2000? 19 A. Yes. 20 Q. And how long did you take off then? 21 A. Hold on a minute. That might not have been then. 22 I'm sorry. I have to go backwards 23 because it helps me remember it better. That all 24 happened in 2001. What happened in 2002 --	1 and she brought me up to speed with things when I 2 came back. 3 Q. Did you have any conversation with her about how 4 the treatments were going? 5 A. Yes. She always asked me how things were. 6 Q. And are you claiming that those comments were 7 discriminatory? 8 A. No. 9 Q. When was the next time you took off work for 10 fertility treatments? 11 A. October. 12 Q. And that was Family and Medical Leave Act leave, 13 correct? 14 A. Yes. Because she told me that that was available 15 to me because of a situation that had come up at 16 that particular time that I would have to be out. 17 I had to have an additional surgery that the 18 doctor wanted to team up with a fertility cycle 19 and I was going to have to take additional drugs 20 that I was going to be very uncomfortable with 21 and he recommended that I take the time off so he 22 filled out the proper paperwork that was needed 23 for that time off. 24 Q. And you took approximately six weeks off?

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1 A. It was mid October and I returned December 3rd so 2 yes. 3 Q. Did Arlene object or did Jansson object to your 4 taking this leave? 5 A. No. 6 Q. And Arlene had you apply for the salary 7 continuation during that leave as well; isn't 8 that correct? 9 A. That's a part of that benefit. 10 Q. Had you received that before? 11 A. No, because I was using vacation and sick time. 12 Q. You applied for salary continuation during that 13 leave, correct? 14 A. If that's what that -- that policy -- that 15 benefit was, if that's the name of it, that's -- 16 Q. Okay. 17 A. I don't know the name of it so if that is the 18 name of it, I'm sorry. 19 Q. Fair enough. 20 A. That is what I filled out. 21 Q. You were paid for some portion of your leave? 22 A. Yes, I was. According to those guidelines. 23 Q. And it was not just vacation or sick time? 24 A. No. Because I had used previous vacation and	1 Afternoon Session 2 Q. I would like you to describe for me your job 3 history since you left Jansson. 4 A. Actual jobs worked or -- the process of looking 5 for? 6 Q. Both. Let's start with any jobs that you've had 7 since you left Jansson. 8 A. I worked for a company called Marsha 9 Incorporated. 10 Q. Sorry? 11 A. Marsha Incorporated. 12 Q. Marsha? 13 A. Yes. 14 Q. What did you do there? 15 A. I designed children's clothing. 16 Q. When did you get that job? 17 A. September of 2003. 18 Q. How long did you work there? 19 A. Until very early May, 2004. 20 Q. How much were you making there? 21 A. I started, I believe, at 15 and then was given an 22 increase to 18. 23 Q. Eighteen dollars an hour? 24 A. Yes.
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1 sick time earlier in the year. And Arlene let me 2 know that that was available. She suggested it. 3 Q. Did Arlene object to your taking a leave in 4 October of 2001? 5 A. No. 6 Q. Did she know what procedures you were going to be 7 going through? 8 A. I explained to her why I needed that much time 9 off. 10 Q. From the time you started these treatments in 11 2001 until October, 2001, did you share with 12 Arlene how it was going? 13 A. If the conversation came up, yes. 14 Q. Did she ask? 15 A. Yes. 16 Q. Did that make you uncomfortable? 17 A. No. I took it as her caring about me. 18 MR. PALMQUIST: This might be a good 19 spot to stop for a break. Okay? 20 MS. DEVER: Sure. 21 (Lunch recess.) 22 23 24	1 Q. Why did you leave there? 2 A. The company was trying to compete with China and 3 decided not to invest in going overseas and 4 closed the company down. 5 Q. So they shut down? 6 A. Yes. They closed. 7 Q. What was the next job you held? 8 A. None since then. 9 Q. Could you describe for me your job search efforts 10 beginning in December of 2001? 11 A. Yes. I aggressively worked with -- well, I used 12 kind of two sources. One was the paper and the 13 other was the Internet. Just aggressively sent 14 out applications. 15 Q. How many applications do you think you sent out? 16 A. A lot. Well, you know, maybe one or two a week. 17 Maybe might have had a good week where there were 18 three or four things and maybe the following week 19 there wasn't really quite anything. The week 20 after that you might send out two or three. So I 21 would probably say it might have averaged ten a 22 month. 23 Q. Ten a month from December, 2001 until you got 24 your job in September of 2003?

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1 A. Yes. Well, during the first couple months that I 2 had the baby, my search wasn't as aggressive.	1 A. I don't believe so.	
3 Q. When was your baby born?	2 Q. Were you actively looking for employment between	
4 A. July 16, 2002.	3 December, 2001 and July 16, 2002 when you had	
5 Q. What kinds of jobs were you applying for?	4 your baby?	
6 A. Kind of a combination of things. Since my skills 7 were somewhat unique and specialized, there 8 weren't a lot of companies in this area that did 9 that type of work. So I started to apply my 10 skills in a more general way so, for example, 11 there was a chocolate company that was looking 12 for someone to design new chocolate products and 13 actually the job sounded pretty similar to the 14 job I did at Jansson so I would apply for 15 something like that.	5 A. Yes.	
16 Q. You were looking for design jobs?	6 Q. And you said you were not as active after the 7 baby was born. When did that pick up again?	
17 A. Design, and then I started to look more into 18 administrative-type jobs. Because at that point 19 where there wasn't anything readily available for 20 design and I was starting to notice that I didn't 21 have the degree that they were looking for, I 22 started to look into different-type jobs that I 23 might be able to adapt my skills to.	8 A. He was born mid July. I would say late 9 September. That same year.	
24 Q. What kind of administrative jobs did you apply	10 Q. And in late September, you resumed at the same 11 level you were before you had your baby?	
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1 for?	12 A. Yes. I made some adjustments. I had someone 13 look over my resume to see if there was something 14 that might -- that I could change that might make 15 it more appealing to actually get an interview.	
2 A. Um, mainly like within publications. Advertising 3 agencies.	16 I was starting to look at refining my resume so 17 that I could possibly -- maybe that was holding 18 me back from not getting a job or -- I started to 19 venture into possibilities of maybe why I wasn't 20 getting any bites.	
4 Q. Did you have any interviews?	21 Q. Did you go to an outplacement service?	
5 A. No.	22 A. No. I have a friend who is a recruiter. That's 23 her profession. And she sat down and helped me	
6 Q. Did you place any limitations on your search?	24 work through my resume and rewrite it.	
7 A. I'm not sure I understand what you mean by 8 "limitations."	Page 77	
9 Q. Well, maybe you already testified to this but you 10 said you applied for some design jobs and some 11 administrative-type jobs.	1 Q. Did you keep any kind of job log?	
12 A. Mm-hmm.	2 A. Yes. I have one I believe I kept for you.	
13 Q. Were there any other general categories of jobs 14 that you saw in the newspaper and said, I'm going 15 to apply for all these jobs?	3 Q. Did you keep a record of companies that you 4 applied to or contacted?	
16 A. I'm sorry. I'm not really sure -- 17 MS. DEVER: Objection.	5 A. Yes.	
18 A. -- I understand what you mean. I want to answer 19 it correctly so I want to make sure I understand 20 what you mean.	6 Q. Is that the same log?	
21 Q. Yeah. Let me just rephrase that. Were there any 22 other categories of jobs that you applied for?	7 A. That is the log, yes.	
23 A. Besides design and administrative?	8 Q. And you haven't worked since May of '04; is that 9 correct?	
24 Q. Correct.	10 A. Correct.	
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11 Q. And you're still looking for a job at the same 12 level and with the same intensity that you were 13 between December, 2001 and when you got your job 14 in September of 2003?	11 Q. And you're still looking for a job at the same 12 level and with the same intensity that you were 13 between December, 2001 and when you got your job 14 in September of 2003?	
15 A. Well, when I was laid off or when the company 16 closed, Marsha, Inc., closed and I was collecting 17 unemployment, I spoke to a career counselor there 18 and started to aggressively get involved with 19 some new programs that they had put in place. 20 Seminars for helping individuals that may want to 21 retrain for maybe a different type of job that 22 were thinking of making career changes. 23 So I started to get into that type of 24 thing. And in order to become more competitive	15 A. Well, when I was laid off or when the company 16 closed, Marsha, Inc., closed and I was collecting 17 unemployment, I spoke to a career counselor there 18 and started to aggressively get involved with 19 some new programs that they had put in place. 20 Seminars for helping individuals that may want to 21 retrain for maybe a different type of job that 22 were thinking of making career changes. 23 So I started to get into that type of 24 thing. And in order to become more competitive	